

TOWN OF ESSEX
PO Box 355
2313 Main Street
Essex, New York 12936

Edward Gardner
Supervisor

Patricia Gardner
Town Clerk

TOWN COUNCIL:
Claire LaPine
Bryan Garvey
James LaForest
Gretel Schueller

February 11, 2016
6:00 p.m.

Supervisor Gardner called the meeting to order with the Pledge of Allegiance.

Attendance by Roll Call	Present	Excused
	Councilperson LaPine	Councilperson LaForest
	Councilperson Garvey	
	Councilperson Schueller	
	Supervisor Gardner	

A motion was made by Claire LaPine to accept the minutes of January 4, 2016 Organizational
Seconded By: Gretel Schueller

	Yea	No
Councilperson LaPine	x	
Councilperson Garvey	x	
Councilperson LaForest	Excused	
Councilperson Schueller	x	
Supervisor Gardner	x	

A motion was made by Bryan Garvey to accept the regular meeting of January 4, 2016.
Motion Made By: Bryan Garvey

Seconded By: Claire LaPine

	Yea	No
Councilperson LaPine	x	
Councilperson Garvey	x	
Councilperson LaForest	Excused	
Councilperson Schueller	x	
Supervisor Gardner	x	

Supervisor Gardner offered the floor to Steve Grimm, Wastewater Technician, from NY Rural Water Association. He explained that they are a federally funded technical assistance and training organization, which makes it a free service to the town. He explained what a sustainability plan is and how it will benefit the town. It includes assessing the plant, infrastructure, financial and setting goals. The plan is a self-assessment by a committee made up of himself as the facilitator, the supervisor, a councilperson (preferably one on the sewer committee), the sewer operator, the sewer rents clerk and 2 user of the sewer district. Meetings would be 2 hours in duration, once a month, taking around 6 meetings to have the plan completed. This is a precursor to what may be coming down the road as a mandate and it would be to our benefit to have this in place before. Once this plan is adopted, the town must follow it. He asked if they wanted to schedule tonight and the board responded that we need to get the committee set up first.

Supervisor offered the floor with no respondents.

Supervisor Gardner stated that members of the various boards are interested in attending the Adirondack Park Local Government Day Conference. The Town Clerk read the list of interested people: Tom Stransky, James VanHoven, Jay White and Gretel Schueller. Supervisor Gardner asked for a motion to approve attending this. Motion made by Bryan Garvey and seconded by Claire LaPine to allow these members to attend training. Roll Call:

	Yea	No
Councilperson LaPine	x	
Councilperson Garvey	x	
Councilperson LaForest	Excused	
Councilperson Schueller	x	
Supervisor Gardner	x	



Office of the New York State Comptroller
 Thomas P. DiNapoli
 New York State and Local Retirement System
 Employees' Retirement System
 Public and Local Retirement System
 110 State Street, Albany, New York 12244-0001

Resolution providing Section 41-j (an allowance of unused sick leave credits)

Location Code: 30462

At a meeting of the * _____ of the _____
 held at _____, New York, on _____, 20____,
 _____ offered the following resolution:

(person)
 "BE IT RESOLVED: that the * _____
 of the _____ does hereby elect to provide the additional pension benefits
 of Section 41-j of the Retirement and Social Security Law, as presently or hereafter amended.

"BE IT FURTHER RESOLVED: that the effective date** of such shall be the _____ day
 of _____, 20____."

** The effective date of the benefit cannot be prior to the date this resolution is "filed" with the Comptroller. Documents mailed by the United States Postal Service registered or certified mail return receipt requested or express mail and ultimately received by the Retirement System will be considered received as of the postmark date.

STATE OF NEW YORK)
) SS:
 COUNTY OF _____)

I, _____, clerk of the * _____
 of the _____ of the State of New York, do hereby certify that I have
 compared the foregoing with the original resolution passed by such _____
 at a legally convened meeting held on the _____ day of _____, 20____ on file
 as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original. I
 further certify that the full _____ consists of _____ members, and that
 _____ of such members were present at such meeting and that _____ of such members voted in favor
 of the above resolution.

IN WITNESS WHEREOF, I have hereunto
 set my hand and the seal of the

 (name of employer)

on this _____ day of _____, 20____

 (signature of clerk)



* Legislative body - The resolution must be adopted by the legislative body and be approved by any other
 body or officer required by law to approve resolutions of such legislative body.

Please note: When filing this resolution, you must submit a copy of your approved plan for granting sick
 leave credits. An allowance will only be made for leave credits granted to eligible employees according to
 this plan.

Resolution 25-2016 is being offered to appoint Catherine DeWolff to the position of Secretary of the Planning Board,
 on the approval of the Essex Planning Board at their meeting of January 21, 2016 meeting for a term to expire December
 31, 2016, at a salary of \$3,956.00.

Motion Made By: Bryan Garvey, as amended

Seconded By: Claire LaPine

	Yea	No
Councilperson LaPine	x	
Councilperson Garvey	x	
Councilperson LaForest		Excused

Resolution 26-2016 is being offered to update the fee schedule for all permit applications for the Town of Essex as follows:

TOWN OF ESSEX, NY
PERMIT APPLICATION FEE SCHEDULE

Effective February 11, 2016

Application fees do not include required electrical inspection fees by outside agencies. An additional 50% of the application fee will be charged as a penalty for starting a project without a permit.

1. One of Two Family Home (including manufactured homes, enclosed porches and attached garages)

For additional required permits, see Note 1 below.

Per square foot* - see Note 2 below	\$ 0.10
Minimum Fee	\$ 50.00
Permit for foundation only	\$ 40.00

2. Multiple Dwellings (maximum fee \$1,000.00)

For additional required permits, see Note 1 below.

Per square foot* - see Note 2 below	\$ 0.20
Minimum Fee	\$ 150.00
Permit for foundation only	\$ 75.00

3. Buildings/Structures of Non-Residential Occupancy

For additional required permits, see Note 1 below.

Per square foot* - see Note 2 below	\$ 0.30
Minimum Fee	\$ 150.00
Permit for foundation only	\$ 50.00

4. Structures Other Than Buildings (includes cellular towers, underground storage tanks, docks, retaining walls, solar panels, etc.)

\$ 50.00

5. Unattached Residential Garages, Carports & Utility Sheds/Agricultural Buildings

Sheds under 140 sq.ft require no permit; for additional required permits, see Note 1 below.

Per square foot* - see Note 2 below	\$ 0.15
Minimum Fee	\$ 40.00

6. All Additions (including enclosed porches and attached garages)

For additional required permits, see Note 1 below.

Per square foot* - see Note 2 below	\$ 0.15
Minimum Fee	\$ 25.00

Note 1: Additional permits and fees required for septic, fuel burning devices, and chimneys.

Exception: No additional fee required for furnaces and attached chimneys when issued with (1) – (6) above. Permit is required.

Note 2: STAMPED PLANS ARE REQUIRED FOR HOMES OVER 1,500 SQUARE FEET, FOR ALL COMMERCIAL BUILDINGS, AND FOR STRUCTURAL ALTERATIONS OVER \$10,000.

*Sq. footage based on outside dimensions of building; shall include habitable basements/attached garages.

7. Demolition \$ 50.00

8. Decks and Open Porches (no fee for accessibility ramps on single family homes)

Per square foot	\$ 0.15
Minimum Fee	\$ 35.00

9. Mobile Homes (aka single-wide trailers)

Includes porches, decks & entries up to 50 sf. \$ 75.00

10. Swimming Pools

Above- or below-ground	\$ 50.00
Enclosures around pre-existing pools	\$ 20.00

11. <u>Solid, Liquid or Gas Burning Devices</u>	\$ 50.00	
If applied with any #1-6 above		\$ 10.00
12. <u>Chimney Permit</u>	\$ 50.00	
If applied with any #1-6 above		\$ 10.00
13. <u>Fuel Burning Device and Chimney</u> (applied for together)	\$ 50.00	
14. <u>Septic Systems</u> (new or repairs)	\$ 65.00	
15. <u>Signs</u>	\$ 25.00	
16. <u>Conversion or Change of Occupancy</u>	\$ 50.00	
17. <u>Home Occupation</u>	\$ 50.00	
18. <u>Zoning Permit</u> (setbacks for agricultural buildings, etc.)	\$ 20.00	
19. <u>Certificate of Inspection</u> (Final inspection; no permit issued)	\$ 75.00	
20. <u>Fire Safety Inspection</u> (as required by NYS Building/Fire Codes)	\$ 25.00	
21. <u>Building Permit Renewal</u>		
Based on Current Fee	1 Year	33%
	2 Years	67%
22. <u>Zoning Board of Appeals</u>		
Use or Area Variance; Interpretations	\$ 50.00	
23. <u>Lot Line/Boundary Line Adjustments</u>	\$ 30.00	
24. <u>Minor Subdivisions</u>	\$ 75.00	
25. <u>Major Subdivisions</u>	\$ 100.00	
		+ \$10/lot
26. <u>Special Use Permit</u>	\$ 50.00	
Includes basic SUP, SUP w/site plan review & abbreviated SUP w/site plan review.		
27. <u>Miscellaneous Fees</u>		
Abutters Fee (per page)	\$ 1.00	
Photocopies (per page)	\$ 0.25	
Returned Check Fee	\$ 35.00	

There will be a \$50.00 fee to reschedule public hearings in all Planning Board cases, when postponed by the applicant after legal notices are sent out to the newspapers and abutters.

An escrow account may be established for all applicants for Major Subdivisions and Special Use Permits to cover the cost of legal, planning, engineering, and other consultant fees. The Planning Board, at its discretion, and when needed, may establish an escrow account for Minor Subdivisions.

Environmental Review Fee: Preparation of an Environmental Impact Statement, environmental documents, and review of impacts addressed under SEQRA will be charged to the applicant. Actual costs up to the limits stipulated in 6NYCRR Park 617.13 b, c, and d (as may be amended) will be charged. An escrow account will be established for the purpose of this review.

Waiver of Fees: The Planning Board shall have the option to waive or reduce fees at its discretion, e.g. for low-income housing, religious institutions, accessory apartments, and minor renovations costing under \$2,500, or where the Planning Board makes a finding that because of the unique circumstances of an application, applying the fees would be an undue hardship and contrary to the intent of the fee schedule.

Motion Made By: Bryan Garvey

Seconded By: Gretel Schueller

	Yea	No
Councilperson LaPine	x	
Councilperson Garvey	x	
Councilperson LaForest	Excused	
Councilperson Schueller	x	
Supervisor Gardner	x	

out of it with a 60 day notice. So let's try it with Willsboro as a shared service. That way we are filling the gap otherwise we would have to go to the state. Gretel was concerned with the wording of the proposed contracting stating the hours devoted here were not enough. Supervisor Gardner read the part of the contract where it states "as needed". Supervisor Gardner also stated that by using a shared service, the efficiency of it works into the tax freeze check program that everyone in the town benefits from. After more discussion on this, the current motion was not closed but instead the following 2 motions were made.

Resolution 31-2016 is being made to authorize the Supervisor to sign a contract, with the Town of Willsboro, for Shared Services of Code Enforcement Officer, with change of prorated salary.

Motion Made By: Bryan Garvey with addition.		Seconded By: Claire LaPine
	Yea	No
Councilperson LaPine	x	
Councilperson Garvey	x	
Councilperson LaForest	Excused	
Councilperson Schueller		X
Supervisor Gardner	x	

Resolution 32-2016 is being made to advertise for a Zoning/Code Enforcement Officer on 2/13, 2/14 and 2/15. Applications must be in by February 26, 2016

Motion Made By: Bryan Garvey		Seconded By: Gretel Schueller
	Yea	No
Councilperson LaPine	x	
Councilperson Garvey	x	
Councilperson LaForest	Excused	
Councilperson Schueller	x	
Supervisor Gardner	x	

Resolution 30-2016 is being made to appoint the following unexpired position:

Jonathan Pribble to Planning Board Member with a Term to Expire 12/31/18

Motion Made By: Bryan Garvey		Seconded By: Claire LaPine
	Yea	No
Councilperson LaPine	x	
Councilperson Garvey	x	
Councilperson LaForest	Excused	
Councilperson Schueller	x	
Supervisor Gardner	x	

Resolution 33-2016 is being made to appoint the following unexpired position:

Richard Teitelbaum to Zoning Board of Appeals with a term to expire on 12/31/2017.

Susan Cerny to Zoning Board of Appeals with a term to expire on 12/31/2016

Motion Made By: Claire LaPine		Seconded By: Bryan Garvey
	Yea	No
Councilperson LaPine	x	
Councilperson Garvey	x	
Councilperson LaForest	Excused	
Councilperson Schueller	x	
Supervisor Gardner	x	

Supervisor Gardner stated that the town has received the new appraisal on the Stone Church. It came in at \$83,000. He thinks that it is low and he would like to table this until the full board is here. He suggest that at that time it go out for a sealed bid, disclosing all the issues. This will be on the next board agenda.

Supervisor Gardner has suggested that we go out for an RFP (Request for a Proposal) on at least two of the rooms that are directly above the meeting room. He has looked at the rooms with Lauren and they can be made into two offices.

The question of accessibility was discussed. A motion was made by Claire LaPine and seconded by Bryan Garvey to do a RFP on the two rooms upstairs. All in favor no nays.

Supervisor Gardner said he has received proposal from a company for finding water leaks in our system. The proposal was for \$1500. There are not many companies that do this and Susan Kennedy from DOH suggested them. NY Rural Water does this but not for the whole town, only one leak at a time. Gretel asked if there was any liability on the contractor who did the original work on the leaks that we may find. Supervisor Gardner said that that was all signed off on and that we are only responsible to the shut off.

Motion by Bryan Garvey and seconded by Claire LaPine to pay Abstract 2016-2 of \$17440.15 prepaid, 4216216.09 unpaid.

Yea	No	
Councilperson LaPine		x
Councilperson Garvey		x
Councilperson LaForest		Excused
Councilperson Schueller		x
Supervisor Gardner		x

Supervisor Gardner asked if there were any questions concerning any of the reports received. There were none.

Patricia Gardner gave a report of the Web site. With the Town Boards approval we will launch it, to which all agreed it was good to go. The web site is essexnewyork.com. We also started a twitter account that will let those signed into it through your text messenger on your phone, you will receive all important notices or emergencies that may arise within our town. To get this access, type 40404 in the address line and in the message type Follow EssexNewYork. Then send the message. You will receive a return text telling you that you have joined. Gretel asked if any other content was going to be added. Pat responded not that she knew of and that the committee wanted to keep the page simple.

At 7:25 Supervisor Gardner made a motion to go into executive session to discuss the employment history of a particular person, seconded by Claire LaPine.

At 7:40 Bryan Garvey made the motion to come of executive session, seconded by Claire LaPine. No decisions were made in executive session.

Claire LaPine reported that she and Gretel completed the annual audit of accounts with the help of Cathy Persons. All were in order. The Highway Superintendent though must complete an inventory of all equipment and submit it for review.

Tina Gardner asked to speak. She questioned the double standard here with the CEO when on the Department of Health's web site Derrick Wrisley is not listed as a licensed water operator. Supervisor Gardner responded that this was news to him and that he would call the Department of Health tomorrow to check into it.

Byan Garvey made a motion to adjourn the meeting and Claire seconded it. All in favor no nays.